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1951

File No. O.Groundnut oil Cakes 48/51

Legal Deptt

G BRANCH

Subject:— Opinion on the Bombay Ground nut Oil Cakes

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File No. O Groundnut oil Cakes 51

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Office of the R.L.A.

The Development Department desires to know whether it would be illegal for the Secretary to Government, Agriculture and Forests Department to refuse to issue a licence under the Bombay Groundnut Oil cakes (Regulation of Trade and Movement) Order, 1949, to a new mill established after a definite date knowing that the oil pressing capacity of the existing Ghanis before the establishment of the mill was adequate.

The Bombay Groundnut Oil cakes (Regulation ofTrade and Movement) Order, 1949, has ceased to have effect from the 14th August 1950 i.e. from the date on which "cattle fodder" was included as an essential commodity in the Essential Supplies (Temporary Powers) Act, 1946 (pl. see R.L.A !s. opinion No. G-311, dt. 30-7-51 - copy attached). The licences granted to the four Rotary Ghanis for 1950-51 on the 7th and 10th October 1950 are therefore not statutory licences and the question therefore is only of academic interest.

However whether to grant or refuse a licence is entirely in the discretion of the licensing authority so long as such power is not exercised arbitrarily.

Sd/-J.R.Dhurandhar.
24-11

Remembrancer of Legal Affairs.

U.R. to D.D., No. G- 581 , dated the 26th November 1951.

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